

FILED  
CLERK'S OFFICE  
UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS  
JUN 30 A 11:47

JACOB LOFARO, PPA NICOLE  
LOFARO,  
Plaintiffs,

v.

DEBORAH BRADLEY, LOUIS LAZ,  
and ASSOCIATES IN OBSTETRICS  
& GYNECOLOGY,  
Defendants.

Civil Action No.04-11297-MLW

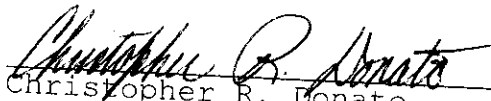
Formerly: Essex County  
Superior Court  
Civil Action No.  
03-536

**NOTICE OF FILING STATE COURT PLEADINGS**

PLEASE TAKE NOTICE that on this day the attested to copies of the state court pleadings received from the Clerk of the Essex County Superior Court were filed with the United States District Court for the District of Massachusetts.

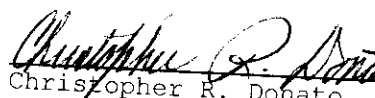
MICHAEL J. SULLIVAN  
United States Attorney

Dated: June 30, 2004

  
Christopher R. Donato  
Special Assistant U.S. Attorney  
U.S. Attorney's Office  
John Joseph Moakley U.S. Courthouse  
1 Courthouse Way, Suite 9200  
Boston, MA 02210  
Tel. No. (617) 748-3303

**CERTIFICATE OF SERVICE**

I hereby certify that on this day a true copy of the above document was made upon the attorneys of record for each other party by first class mail, postage prepaid.

  
Christopher R. Donato  
Assistant U.S. Attorney

Commonwealth of Massachusetts  
ESSEX SUPERIOR COURT  
Case Summary  
Civil Docket

**ESCV2003-00536**  
**Lofaro et al v Smith M D et al**

FILED  
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2004 JUN 30 A 11:47

ESSEX SUPERIOR COURT  
DISTRICT OF MASS.

<b>File Date</b>	03/20/2003	<b>Status</b>	Disposed: transfered to other court (dtrans)
<b>Status Date</b>	06/23/2004	<b>Session</b>	A - Civil-CtRm 2 -rear (Salem)
<b>Origin</b>	1	<b>Case Type</b>	B06 - Medical malpractice
<b>Lead Case</b>		<b>Track</b>	A

<b>Service</b>	06/18/2003	<b>Answer</b>	08/17/2003	<b>Rule12/19/20</b>	08/17/2003
<b>Rule 15</b>	06/12/2004	<b>Discovery</b>	05/08/2005	<b>Rule 56</b>	07/07/2005
<b>Final PTC</b>	11/04/2005	<b>Disposition</b>	03/19/2006	<b>Jury Trial</b>	Yes

**PARTIES**

**Plaintiff**  
Jacob Lofaro  
Active 03/20/2003

**Plaintiff**  
Nicole PPA Lofaro  
Active 03/20/2003

**Defendant**  
Almena Smith M D  
83 Herrick Street  
Beverly, MA 01915  
Served: 06/19/2003  
Answered: 07/01/2003  
Answered 07/01/2003

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Commonwealth of Massachusetts  
ESSEX SUPERIOR COURT  
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Civil Docket

06/23/2004  
11:20 AM

**ESCV2003-00536**  
**Lofaro et al v Smith M D et al**

**Defendant**

Deborah Bradley M D  
83 Herrick Street  
Beverly, MA 01915  
Served: 06/19/2003  
Answered: 09/18/2003  
Answered 09/18/2003

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\*\*\* See Attorney Information Above \*\*\*

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**Defendant**

Associates in Obstetrics & Gynecology Inc  
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Beverly, MA 01915  
Served: 06/19/2003  
Answered: 07/01/2003  
Answered 07/01/2003

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Commonwealth of Massachusetts  
**ESSEX SUPERIOR COURT**  
 Case Summary  
 Civil Docket

**ESCV2003-00536**  
**Lofaro et al v Smith M D et al**

**Malprac trib attorney**

John L. Romano  
 230 Broadway  
 Suite 104  
 Lynnfield, MA 01940  
 Active 11/18/2003

**Malprac trib physician**

Ana-Cristina Vasilescu MD  
 44 Prentiss Lane  
 Belmont, MA 02478  
 Active 11/18/2003

**Defendant**

Louis Laz MD  
 Served: 01/20/2004  
 Served (answr pending) 03/05/2004

**ENTRIES**

Date	Paper	Text
03/20/2003	1.0	Complaint & civil action cover sheet filed
03/20/2003		Origin 1, Type B06, Track A.
03/20/2003	2.0	Uniform Counsel Certification filed by Plaintiff's Attorney Andrew C Meyer, Jr.
06/25/2003	3.0	SERVICE RETURNED: Almena Smith M D (Defendant) on 6/19/2003 in hand to Jennette Panachock, agent, person in charge
06/25/2003	4.0	SERVICE RETURNED: Deborah Bradley M D (Defendant) on 6/19/2003 in hand to Jenette Panachock, agent, person in charge
06/25/2003	5.0	SERVICE RETURNED: Associates in Obstetrics & Gynecology Inc (Defendant) on 6/19/2003 in hand to Jennette Panachock, agent, person in charge
06/26/2003	6.0	Atty Ellen Epstein Cohen and John R. Pelletier's notice of appearance for defendant Associates in OB/GYN, Inc.
07/01/2003	7.0	ANSWER: Almena Smith M D (Defendant) with demand for trial by jury
07/01/2003	8.0	ANSWER: Associates in Obstetrics & Gynecology Inc. (Defendant) with demand for trial by jury
07/01/2003	9.0	Request for medical malpractice tribunal filed by Almena Smith, M.D.
07/01/2003	10.0	Request for medical malpractice tribunal filed by defendant Associates in OB/GYN, INC.
08/21/2003	11.0	Atty Charles P Reidy III's notice of appearance for Deborah Bradley M D
09/18/2003	12.0	ANSWER: Deborah Bradley M D

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*[Signature]*  
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Commonwealth of Massachusetts  
ESSEX SUPERIOR COURT  
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**ESCV2003-00536**  
**Lofaro et al v Smith M D et al**

Date	Paper	Text
10/16/2003	13.0	Application for order for copy of hospital records and things, regarding Nicole Lofaro.
10/16/2003	14.0	Application for Order for copy of hospital records and things, regarding Jacob Lofaro.
10/16/2003	15.0	ORDER for hospital records from 13 (P##) (Mary Lou Rup, Justice)
10/16/2003	16.0	ORDER for hospital records from (P#14) (Mary Lou Rup, Justice)
11/18/2003	17.0	ORDER for medical malpractice tribunal on December 12, 2003 at 10:30 AM in D Session at Lawrence Superior Court for Defendant: Almena Smith, MD
11/18/2003	18.0	ORDER for medical malpractice tribunal on December 12, 2003 at 10:30 AM in D Session at Lawrence Superior Court for Defendant; Deborah Bradley, MD
11/18/2003	19.0	ORDER for medical malpractice tribunal on December 12, 2003 at 10:30 AM in D Session at Lawrence Superior Court for Defendant: Associates in OB/GYN, Inc.
12/10/2003	20.0	Offer of proof of Jacob Lofaro
12/12/2003	21.0	Stipulation of partial dismissal as to Almena Smith M D, with prejudice, with costs
12/12/2003	22.0	Medical malpractice tribunal report: as to Associates in Obstetrics & Gynecology Inc that there is sufficient evidence to raise a legitimate question as to liability appropriate for judicial inquiry. (Howard Whitehead, Justice) Copies mailed December 12, 2003
12/12/2003		Notice sent to board of registration in medicine
12/12/2003	23.0	Medical malpractice tribunal report: as to Deborah Bradley M D that there is sufficient evidence to raise a legitimate question as to liability appropriate for judicial inquiry. (Howard Whitehead, Justice) Copies mailed December 12, 2003
12/12/2003		Notice sent to board of registration in medicine
12/22/2003	24.0	Plaintiff Jacob Lofaro, Nicole PPA Lofaro's MOTION to amend complaint by adding Louis Laz, M.D. with affidavit of compliance with superior court rule 9A with no opposition received.. filed 12/19/03
01/02/2004		MOTION (P#24) ALLOWED. 12/30/03 (David Lowy, Justice) Notices mailed January 02, 2004
01/02/2004	25.0	Amended complaint of Jacob Lofaro, Nicole PPA Lofaro
03/05/2004	26.0	SERVICE RETURNED (summons): Louis Laz MD, service made on January 20, 2004 (agent in charge service)
03/22/2004		Notice of Annual Civil Litigation Fee mailed to plaintiff's attorney Andrew C Meyer on March 22, 2004.
04/23/2004	27.0	Atty Laura M Marhoefer's notice of appearance for Associates in Obstetrics & Gynecology Inc
05/20/2004	28.0	Notice of late fee due; Annual Civil Litigation Assessment Fee and late fee in amount of 10.00 mailed to plaintiff's Andrew C Meyer on May 20, 2004
06/23/2004		Case REMOVED this date to US District Court of Massachusetts filed 6/15/04

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EVENTS

Commonwealth of Massachusetts  
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Date	Session	Event	Result
12/12/2003	Civil-CtRm 2 (Lawrence)	Malpractice tribunal Ana-Cristina Vasilescu, MD, 44 Prentiss Lane Belmont, MA 02478 John L. Romano, Esq., 230 Broadway, Suite 104, Lynnfield, MA 01940 For Def: Almena Smith, MD	Event cancelled - Case Settled
12/12/2003	Civil-CtRm 2 (Lawrence)	Malpractice tribunal Ana-Cristina Vasilescu, MD, 44 Prentiss Lane, Belmont, MA 02478 John L. Romano, Esq., 230 Broadway, Suite 104, Lynnfield, MA 01940 For Def: Deborah Bradley, MD	Event held as scheduled
12/12/2003	Civil-CtRm 2 (Lawrence)	Malpractice tribunal Ana-Cristina Vasilescu, MD, 44 Prentiss Lane, Belmont, MA 02478 John L. Romano, Esq., 230 Broadway, Suite 104, Lynnfield, MA 01940 For Def: Associates in OB/GYN, Inc.	Event held as scheduled
05/07/2004	Civil-CtRm 2 -rear (Salem)	Status: Review Annual Fee	Event canceled not re-scheduled
06/21/2004	Civil-CtRm 2 -rear (Salem)	Status: Review Annual Fee	

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